



City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

NOTICE OF ACTION

City Council - Evening Session

Wednesday, January 09, 2013 - 7:13 PM

W. H. "Billy" Hobbs, Jr.
Will Moffett
Chris Snead

Christopher G. Stuart
Donnie R. Tuck
George E. Wallace

Molly Joseph Ward, Mayor

Staff:

Mary Bunting, City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, CMC, Clerk of Council

CALL TO ORDER/ROLL CALL

Molly Joseph Ward presided.

Upon Roll Call the following members were present:

PRESENT: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

INVOCATION - Councilwoman Chris Snead

The invocation was given by Councilwoman Chris Snead.

PLEDGE OF ALLEGIANCE TO FLAG

The Pledge of Allegiance was led by Hayden Hendricks, a Boy Scout who is in the 7th grade at Spratley Gifted Center. He is a member of Troop 218 in Buckroe.

MAYOR'S COMMENTS

CONSENT AGENDA

CONSENT ITEMS

1. 13-0003 Approval of the minutes from the special meeting of October 24, 2012.

ACTION: Approved item 1 and items 3 through 7 on the consent agenda.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

2. 13-0008 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the FY2012 Staffing for Adequate Fire and Emergency Response (SAFER) Grant through the Federal Emergency Management Agency and Department of Homeland Security

ACTION: Deferred (2/13/2013) - this item was pulled from the consent agenda at the request of Councilman Tuck. His motion to defer failed for lack of a second.

MOVER: Councilmember Donnie R. Tuck

ACTION: Approved - the City Manager provided a brief overview of this item prior to the vote.

MOVER: Councilmember Christopher G. Stuart

SECONDER: Vice Mayor George E. Wallace

AYES: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

NAYS: 1 - Donnie R. Tuck

ABSTAIN: 0

OUT: 0

3. 13-0009 Resolution Of The Council Of The City Of Hampton, Virginia Confirming The Order Terminating Declaration Of Local Emergency Declared By The Hampton Director of Emergency Management On October 27, 2012 Due To Hurricane Sandy

ACTION: Approved item 1 and items 3 through 7 on the consent agenda.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

4. 13-0011 Resolution Authorizing an Advance of \$400,000 to the Salt Ponds Dredging Project from the City's General Fund Unassigned Fund Balance to be Returned to the General Fund Unassigned Fund Balance from the Proceeds of the City's 2013 General Obligation Bond Series when Issued

ACTION: Approved item 1 and items 3 through 7 on the consent agenda.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

5. 13-0012 Ordinance To Repeal Section 24-11 Of the Code Of The City Of Hampton Entitled "Disturbing The Peace".

ACTION: Approved item 1 and items 3 through 7 on the consent agenda.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

6. 13-0014 Resolution to Appropriate 2012 Hazmat Recovery Funds from City's General Fund Account to Fire & Rescue's Fiscal Year 2013 Budget.

ACTION: Approved item 1 and items 3 through 7 on the consent agenda.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

7. 13-0015 Resolution Determining Play & Park Structures to be the Only Source Practicably Available from which to Procure Replacement Parts for Playground Equipment and Authorizing the Negotiation and Execution of a Purchase Contract with Play & Park Structures c/o Bliss Products and Services as "Sole Source."

ACTION: Approved item 1 and items 3 through 7 on the consent agenda.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

REZONINGS

8. 13-0006 Rezoning Application No. 1308-2012 by MDC Woodlands, LLC and the City of Hampton to rezone 5.18+ acres bounded by Woodland Road, E. Mercury Boulevard, and Old Buckroe Road from One Family Residence District (R-9) to Multiple Dwelling District (MD-4) with conditions to construct an age restricted multifamily development.

ACTION: Presented by Mike Hayes, Senior City Planner.

ACTION: Held Public Hearing - Edwin Boone spoke indicating he wasn't opposed to this matter but is concerned about people leaving Hampton and they need to be replaced with taxpayers.

ACTION: Approved subject to ten (10) proffered conditions.

MOVER: Councilmember Christopher G. Stuart

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

9. 13-0007 Zoning Ordinance Amendment No. 049-2012: by the City of Hampton to amend and re-enact Chapter 1, entitled "Zones and General Provisions" by adding section 1-25 of the Zoning Ordinance of the City of Hampton, Virginia, pertaining to the regulation of renewable energy systems.

ACTION: Presented by Tamaria Green, City Planner.

ACTION: Held Public Hearing - there were no speakers on this item.

ACTION: Approved

MOVER: Councilmember Chris Snead

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

USE PERMIT

10. 13-0005 Use Permit Application No. 1082-2012: Proposal by The Garden City Cultural & Historical Society, Inc. to operate a private museum at 1911 Shell Road [LRSN 1002916].

ACTION: Presented by Alison Alexander, City Planner.

ACTION: Held Public Hearing - Joe King spoke during Ms. Alexander's presentation.

ACTION: Approved subject to ten (10) conditions.

MOVER: Vice Mayor George E. Wallace

SECONDER: Councilmember Christopher G. Stuart

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

GENERAL ITEMS

ORDINANCES

11. 12-0448 Ordinance To Amend And Reenact Chapter 24, Section 24-41 Of The Code Of The City Of Hampton Entitled "Body Art and Body Art Establishments" To Regulate

Temporary Body Art Events.

ACTION: Approved

MOVER: Councilmember Chris Snead

SECONDER: Councilmember Will Moffett

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

APPOINTMENTS

12. 12-0275 to discuss appointments to the Planning Commission.

ACTION: Deferred Generally

MOVER: Councilmember W. H. "Billy" Hobbs, Jr.

SECONDER: Councilmember Christopher G. Stuart

AYES: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

NAYS: 1 - Donnie R. Tuck

ABSTAIN: 0

OUT: 0

ACTION: Reappointed Andrew McCloud to his final four year term expiring on August 30, 2016.

MOVER: Councilmember Christopher G. Stuart

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

13. 12-0455 to consider appointments to the Hampton Senior Citizens Advisory Committee

ACTION: Appointed Loretta Ray and Lillian Johnson to four year terms expiring on December 30, 2016.

14. 13-0018 to consider an appointment to the Wetlands Board.

ACTION: Reappointed David Bruckheimer for a second five year term which will expire on December 31, 2017.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov